



House of Representatives

General Assembly

File No. 600

January Session, 2001

Substitute House Bill No. 6976

House of Representatives, May 3, 2001

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ACCESS TO SERVICES FOR VICTIMS OF CRIME.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) There shall be a state-wide public awareness
2 campaign to educate, inform and identify resources for the general
3 public about crime victim's rights and services. The public awareness
4 campaign shall be planned, designed and implemented by the Office
5 of Policy and Management in conjunction with representatives of the
6 Connecticut Sexual Assault Crisis Services, Inc., Connecticut Coalition
7 Against Domestic Violence, Mothers Against Drunk Driving and
8 Survivors of Homicide.

9 Sec. 2. Subdivision (17) of subsection (b) of section 54-203 of the
10 general statutes is repealed and the following is substituted in lieu
11 thereof:

12 (17) To provide a mandatory annual training program for judges,

13 prosecutors, victim advocates, as defined in section 54-220, police,
14 probation and parole personnel, bail commissioners, officers from the
15 Department of Correction and judicial marshals to inform them of
16 victims' rights and available services. The Office of Victim Services
17 shall plan, design and implement such training in consultation with
18 representatives of sexual assault victims, domestic violence victims,
19 victims of drunk drivers and homicide victims.

20 Sec. 3. Section 54-222a of the general statutes is repealed and the
21 following is substituted in lieu thereof:

22 (a) Whenever a peace officer determines that a crime has been
23 committed, such officer shall render immediate assistance to any
24 victim of such crime including obtaining medical assistance for any
25 such victim if such assistance is required [,] and shall present a [card]
26 form prepared by the Office of the Chief Court Administrator to a
27 victim [who has suffered physical injury] of crime informing the victim
28 of services available and the rights of victims in this state. [and] The
29 peace officer shall inform the victim of crime of the rights of victims in
30 this state. Such form shall be made available in both English and
31 Spanish. Such peace officer shall refer the victim of crime to the Office
32 of Victim Services for additional information on rights and services.

33 (b) The Commissioner of Public Safety shall adopt regulations, in
34 accordance with chapter 54, to implement the provisions of subsection
35 (a) of this section.

36 Sec. 4. Section 46a-13c of the general statutes is repealed and the
37 following is substituted in lieu thereof:

38 The Victim Advocate may, within available appropriations:

39 (1) Evaluate the delivery of services to victims by state agencies and
40 those entities that provide services to victims, including the delivery of
41 services to families of victims by the Office of the Chief Medical

42 Examiner;

43 (2) Coordinate and cooperate with other private and public agencies
44 concerned with the implementation, monitoring and enforcement of
45 the constitutional rights of victims and enter into cooperative
46 agreements with public or private agencies for the furtherance of the
47 constitutional rights of victims;

48 (3) Review the procedures established by any state agency or other
49 entity providing services to victims with respect to the constitutional
50 rights of victims;

51 (4) Receive and review complaints of persons concerning the actions
52 of any state or other entity providing services to victims and
53 investigate those where it appears that a victim or family of a victim
54 may be in need of assistance from the Victim Advocate;

55 (5) File a limited special appearance in any court proceeding for the
56 purpose of advocating for a victim:

57 (A) The right to notification of court proceedings;

58 (B) The right to attend the trial and all other court proceedings the
59 accused has the right to attend, unless such person is to testify and the
60 court determines that such person's testimony would be materially
61 affected if such person hears other testimony;

62 (C) The right to object to or support any plea agreement entered into
63 by the accused and the prosecution and to make a statement to the
64 court prior to the acceptance by the court of the plea of guilty or nolo
65 contendere by the accused;

66 (D) The right to make a statement to the court at sentencing;

67 (E) The right to restitution which shall be enforceable in the same
68 manner as any other cause of action or as otherwise provided by law;

69 and

70 (F) The right to information about the arrest, conviction, sentence,
71 imprisonment and release of the accused;

72 (6) Ensure a centralized location for victim services information;

73 (7) Recommend changes in state policies concerning victims,
74 including changes in the system of providing victim services;

75 (8) Conduct programs of public education, undertake legislative
76 advocacy, and make proposals for systemic reform;

77 (9) Monitor the provision of protective services to witnesses by the
78 Chief State's Attorney pursuant to section 54-82t; [and]

79 (10) Take appropriate steps to advise the public of the services of the
80 Office of the Victim Advocate, the purpose of the office and
81 procedures to contact the office; and

82 (11) Develop, in consultation with public and private agencies that
83 receive state and federal funds to deliver services to victims of crime,
84 uniform reporting standards for data to assess and evaluate the
85 effectiveness of victim service systems. Data shall include information
86 about compensation and other benefits and information about
87 resources and services available to victims of crime, including
88 counseling and advocacy.

89 Sec. 5. (NEW) The Office of Policy and Management shall contract
90 with (1) the Connecticut Coalition Against Domestic Violence for
91 domestic violence education and community outreach coordinators
92 and sexual assault education and community outreach coordinators;
93 (2) the Connecticut Sexual Assault Crisis Services, Inc. for sexual
94 assault education and community outreach coordinators; (3) the
95 Survivors of Homicide for an education and prevention specialist; and
96 (4) Mothers Against Drunk Driving for youth coordinators. Such

97 education and outreach coordinators shall promote community safety
98 by providing age and culturally appropriate risk information, primary
99 prevention education and information about services and rights to
100 members of the general public and crime victims.

101 Sec. 6. The sum of three million nine hundred thousand dollars is
102 appropriated to the Office of Policy and Management, from the
103 General Fund, for the fiscal year ending June 30, 2002, for grants of
104 nine hundred thousand dollars to the Connecticut Coalition Against
105 Domestic Violence, one million three hundred thousand dollars to the
106 Connecticut Sexual Assault Crisis Services, Inc., one million one
107 hundred thousand dollars to Mothers Against Drunk Driving and six
108 hundred thousand dollars to the Survivors of Homicide for the
109 purposes of this act. Such appropriations shall be used to supplement
110 and not supplant existing funding.

111 Sec. 7. This act shall take effect July 1, 2001.

JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Cost, Potential Cost, Implements the Budget

Affected Agencies: Judicial Department (Office of Victims Services, Office of the Chief Court Administrator), Office of Policy and Management,

Municipal Impact: None

Explanation**State Impact:**

Section 1: The bill establishes a state-wide public awareness campaign regarding crime victims' rights and services, and requires the Office of Policy and Management (OPM) to coordinate with four nonprofit victim-advocacy organizations¹ for the planning, design and implementation of the campaign. It appears that this implements the budget. Funds in the amount of \$200,000 have been included within sHB 6668 (the FY 02 - FY 03 Appropriations Act, as favorably reported by the Appropriations Committee) for FY 02 and FY 03. However, these funds have been appropriated to the Judicial Department rather than OPM.

¹ These groups are the following: (1) Connecticut Sexual Assault Crisis Services, Inc.; (2) Connecticut Coalition Against Domestic Violence; (3) Mothers Against Drunk Driving; and (4) Survivors of Homicide.

Section 2: The Office of Victim Services (OVS) must design and implement mandatory annual training for judges, prosecutors and victims advocates. This would result in an additional cost to the OVS that can be absorbed within anticipated budgetary resources.

Section 3: The Office of the Chief Court Administrator must prepare a form that informs crime victims of their rights. This form must be made available in English and Spanish. Currently, victims are provided with a card (3 ½ x 6) that informs them of their rights. Changing over to a form and making it available in Spanish would require a one-time effort, the cost of which is absorbable.

Section 4: The OVS must develop uniform reporting standards for data to assess and evaluate the effectiveness of victim service systems. An additional staff person may be required, depending upon the accessibility of the data that is needed.

Sections 5 and 6: The bill requires OPM to contract with the four nonprofit organizations listed in Section 1 to deliver various educational and informational services. It appropriates \$3.9 million to the Office of Policy and Management (OPM) for those purposes, and prescribes the allocation of funds to each organization.

OLR BILL ANALYSIS

sHB 6976

AN ACT CONCERNING ACCESS TO SERVICES FOR VICTIMS OF CRIME.

SUMMARY:

This bill seeks to broaden public awareness of crime victims' rights and services. Specifically, it:

1. establishes a statewide public awareness campaign to educate and inform the general public about crime victims' rights and services;
2. requires the Office of Policy and Management (OPM) to contract with specified nonprofit victim advocacy organizations for education and outreach coordinators;
3. appropriates \$3.9 million in grants for these organizations to carry out the bill's purposes;
4. authorizes the victim advocate to develop uniform reporting standards for assessing and evaluating the effectiveness of victim service systems;
5. requires the Office of Victim Services (OVS) to extend to victim advocates the victim rights and services training program it currently offers to correction and judicial officers;
6. makes participation by these officers mandatory;
7. requires OVS to offer the training annually; and
8. requires peace officers to inform crime victims of their rights.

EFFECTIVE DATE: July 1, 2001

STATEWIDE PUBLIC AWARENESS CAMPAIGN

The bill requires OPM, in conjunction with specified nonprofit victim advocacy organizations, to plan, design, and implement a statewide public awareness campaign to educate and inform the general public about crime victims' rights and services including funding resources. The organizations are Connecticut Sexual Assault Crisis Services, Inc., Connecticut Coalition Against Domestic Violence, Mothers Against Drunk Driving (MADD), and Survivors of Homicide.

EDUCATION AND COMMUNITY OUTREACH COORDINATORS

The bill requires OPM to contract with the above-named nonprofit victim advocacy organizations for education and community outreach coordinators. These coordinators must promote community safety by providing to the general public and crime victims age and culturally appropriate risk information, primary prevention education, and information about services and rights. The contracts, by organization, are as follows:

<i>Victim Advocacy Organizations</i>	<i>Contract Services</i>
Connecticut Coalition Against Domestic Violence	<ul style="list-style-type: none"> •Domestic violence education and community outreach coordinators •Sexual assault education and community outreach coordinators
Connecticut Sexual Assault Crisis Services, Inc.	<ul style="list-style-type: none"> •Sexual assault education and community outreach coordinators
Survivors of Homicide	<ul style="list-style-type: none"> •Education and prevention specialist
MADD	<ul style="list-style-type: none"> •Youth coordinators

APPROPRIATIONS

The bill appropriates \$3.9 million to OPM for FY 2001-02 for grants to the following victim advocacy organizations to carry out their duties under the bill. The organizations must use the appropriation to supplement, and not supplant, existing funding.

<i>Organizations</i>	<i>Grants</i>
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Connecticut Coalition Against Domestic Violence	\$900,000
Connecticut Sexual Assault Crisis Services, Inc.	\$1.3 million
Survivors of Homicide	\$600,000
MADD	\$1.1 million

VICTIM ADVOCATE

The bill authorizes the victim advocate in consultation with public and private victim service providers, to develop, within available appropriations, uniform data reporting standards for assessing and evaluating the effectiveness of victim service systems. The data to be reported must include information about benefits, resources, and services available to crime victims, including crime victim compensation, counseling, and advocacy.

OFFICE OF VICTIM SERVICES

Under current law, OVS provides a training program on victims' rights and services for judges, prosecutors, police, probation and parole personnel, bail commissioners, Department of Correction officers, and judicial marshals. The bill requires OVS to (1) provide the training annually; (2) plan, design, and implement it in consultation with sexual assault, domestic violence, drunk drivers, and homicide victim representatives; (3) makes the training mandatory for the above officers; and (4) offer it to victim advocates.

PEACE OFFICERS

Under current law, peace officers must provide immediate assistance to crime victims and give a card prepared by the chief court administrator to those who have suffered physical injury informing them of the services available to, and rights of, crime victims in this state.

The bill broadens those informed to include anyone who suffers direct or threatened physical, emotional, or financial harm as a result of a crime, including the immediate family members of a minor or incompetent person or homicide victim. It requires the information to

be presented (1) on a form, instead of a card, and (2) in English and Spanish.

BACKGROUND

Related Bill

sHB 6947, reported favorably by the Judiciary Committee, requires Superior Court judges to advise crime victims of their constitutional rights daily at criminal arraignment.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 36 Nay 0